

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: ETHICON, INC.

PELVIC REPAIR SYSTEMS

PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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THIS DOCUMENT RELATES TO THE CASE(S)  
ON THE EXHIBIT ATTACHED HERETO.

**ORDER TO DISMISS DEFENDANTS WITHOUT PREJUDICE  
(PURSUANT TO PTO NO. 293 AS AMENDED BY PTO NO. 298 – NON-REVISION  
GYNECARE PRODUCTS)**

Pursuant to Pretrial Order No. 293 as Amended by PTO No. 298 (hereinafter collectively referred to as the “Non-Revision PTOs”), the plaintiffs (and all derivative plaintiffs), listed on the attached Exhibit A have agreed to dismiss Ethicon, Inc., Johnson & Johnson and Ethicon, LLC<sup>1</sup> (hereinafter referred to as the “Ethicon defendants”) without prejudice. The plaintiffs listed on the attached Exhibit A have filed an Election Form electing to “[d]ismiss [their] presently pending case without prejudice subject to the waiver provisions” in the Non-Revision PTOs. **For the cases listed on the attached exhibit, dismissal without prejudice applies to the Ethicon defendants only.**

The court **ORDERS** that the Ethicon defendants are **DISMISSED WITHOUT PREJUDICE** pursuant to the provisions of the Non-Revision PTOs and, in any case on Exhibit A where the Ethicon defendants are the only remaining defendants, the case is **STRICKEN** from

<sup>1</sup> As used herein, “Ethicon Defendants” refers collectively to Johnson & Johnson, Ethicon LLC, Ethicon, Inc., as well as any of its former or present parent companies, subsidiaries, affiliated companies, directors, officers, design surgeons, employees, distributors, detail representatives named in an action pending in MDL No. 2327.

the active docket. The court further **ORDERS** that for any case listed on Exhibit A that resides in the Ethicon MDL and names other MDL defendants other than the Ethicon defendants, plaintiffs shall file a Motion to Transfer MDLs within **four (4) weeks** of the entry of this Order.

The court **DIRECTS** the Clerk to file a copy of this order in MDL No. \_\_\_\_\_ and in each case listed on the attached Exhibit(s) and to send a copy of this Order to counsel of record and any unrepresented party. The Clerk is further **DIRECTED** to link this Order to the Proposed Order to Dismiss filed at ECF No. \_\_\_\_\_.

ENTER:



## **EXHIBIT A**

<b>MDL No.</b>	<b>Case Name</b>	<b>Last Name</b>	<b>First Name</b>
2:13-cv-30898	Kulow, Lisa	Kulow	Lisa Michelle Jackson
2:15-cv-09206	Worthey, Miranda K. & James	Worthey	Miranda Kaye Harris
2:15-cv-15902	Bennett, Marilyn	Bennett	Marilyn S. Mullins
2:15-cv-15938	Smith, Carole & Jeffrey Alon	Smith	Carole Paige
2:15-cv-16199	Johnson, Peggy & Kevin	Johnson	Peggy Ann Abbott
2:15-cv-16345	Talbot, Rose	Talbot	Rose Rosemary Spica Harvey
2:16-cv-00101	King, Carol	King	Carol
2:16-cv-00180	McGovern, Shirley	McGovern	Shirley Lee Allen
2:16-cv-00182	Rodriguez, Michiel & Carlos	Rodriguez	Michiel Y. Berry Cuadras
2:17-cv-02591	Crane, Susan	Crane	Susan Trawick-Bellamy
2:18-cv-00466	Heapofbirds, Roberta	Heapofbirds	Roberta